

# MANDATE

S.D.N.Y.-N.Y.C.  
16-cr-371  
Abrams, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 8<sup>th</sup> day of March, two thousand seventeen.

Present:

Robert D. Sack,  
Raymond J. Lohier, Jr,  
*Circuit Judges,*  
Gregory H. Woods,\*  
*District Judge.*

USDC SDNY  
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In Re: Devon Archer,

17-353

*Petitioner.*

Petitioner has filed a petition for a writ of mandamus. The Government, the respondent in this case, moves for leave to file an oversized response and to dismiss Petitioner's related appeal. Upon due consideration, it is hereby ORDERED that the mandamus petition is DENIED because Petitioner has not demonstrated that he lacks an adequate, alternative means of obtaining relief. *See In re von Bulow*, 828 F.2d 94, 98 (2d Cir. 1987). It is further ORDERED that the Government's motions are DENIED as moot.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

Catherine O'Hagan Wolfe

\* Judge Gregory H. Woods, of the United States District Court for the Southern District of New York, sitting by designation.

MANDATE ISSUED ON 05/01/2017